

REMARKS/ARGUMENTS

Claims 5-12 and 27 are pending herein. Claim 27 has been amended as supported by paragraphs [0025]-[0026] and [0044]-[0049] in the specification, for example. Applicants respectfully submit that no new matter has been added.

Supervisory Examiner Dye and Examiner Jacobson are thanked for courtesies extended to Applicants' undersigned representative during a telephonic interview on March 10, 2010. The substance of that interview has been incorporated into the following remarks.

1. The rejection of claim 4 under §112, first paragraph is noted, but deemed moot in view of the cancellation of claim 4 in the amended claim set submitted above.
2. Claims 4-7, 10-12 and 27 were rejected under §102(b) over Nagata. To the extent that this rejection may be applied against the amended claims, it is respectfully traversed.

Amended claim 27 recites a method of cutting a multilayer structure composed of a plurality of resin layers to provide a predetermined shape comprising the steps of compressing and deforming a multilayer structure, wherein at least one of the resin layers forming the multilayer structure is in a fused state above a melting point temperature of the at least one resin layer, while extending respective layers of the multilayer structure to provide a reduced thickness portion so that an upper layer bites into the lower layer by pushing a push cutter, by a predetermined amount, into the multilayer structure supported by a cutter receiving portion, then cooling and

hardening the at least one resin layer in the fused state in the multilayer structure below the melting point thereof, and then push-cutting the compressed reduced thickness portion until the push cutter abuts against the cutter receiving portion so as to converge an intermediate layer and a surface resin layer of the multilayer structure to the abutting portion of the push cutter and the cutter receiving portion.

Nagata discloses a method of making a sheet-shaped oxygen absorber.

Amended claim 27 is distinct from Nagata because the thermoplastic resin of Nagata is simply heated to soften the thermoplastic resin, and is not heated above a melting point of the thermoplastic resin, as admitted by the PTO (Office Action at page 5). In contrast, amended claim 27 clearly recites compressing and deforming the multilayer structure wherein at least one of the resin layers forming the multilayer structure is in a fused state above a melting point temperature of the at least one resin layer, then cooling and hardening the at least one resin layer in a fused state in the multilayer structure below a melting point temperature thereof and then push-cutting the compressed reduced thickness portion of the multilayer structure. Thus, the claimed method of cutting the multilayer structure is distinct from Nagata.

During the interview, Examiner Jacobson and Supervisory Examiner Dye agreed that the amendments to claim 27 would distinguish claim 27 from Nagata. Examiner Jacobson also confirmed that an RCE would be required to enter the claim amendments, which will require an updated search. Accordingly, an RCE is filed herewith.

Based on the above, Nagata fails to disclose each and every element of amended claim 27. Accordingly, Applicants respectfully request that Examiner Jacobson reconsider and withdraw this rejection.

3. Claims 8 and 9 were rejected under §103(a) over Nagata. This rejection is respectfully traversed because these claims ultimately depend from amended claim 27, and amended claim 27 is patentable for the reasons explained above.


For at least the foregoing reasons, Applicants respectfully submit that all pending claims herein are in condition for allowance. Accordingly, Examiner Jacobson is requested to issue a Notice of Allowance for this application in due course.

If the Examiner believes that contact with Applicants' attorney would be advantageous toward the disposition of this case, the Examiner is herein requested to call Applicants' attorney at the phone number noted below.

The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-1446.

Respectfully submitted,

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Date


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